

Scottsdale City Court

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Scottsdale City Court to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Scottsdale City Court.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

II. Needs Assessment

A. Statewide

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to Census report dated April 2010):

1. Spanish
2. Navajo
3. Chinese
4. Vietnamese
5. Arabic

B. Scottsdale City Court

The Scottsdale City Court will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court’s geographic area:

1. Spanish
2. Somali
3. Farsi
4. Arabic
5. Mandarin

This information is based on data collected from records kept by the court interpreter and invoices.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Scottsdale City Court, interpreters will be provided at no cost to court customers who need such assistance under the following circumstances:

- For litigants and witnesses in civil hearings; and
- For litigants and witnesses in all criminal matters.

It is the responsibility of the private attorney, Public Defender or City Prosecutor to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions and translations and attorney/client communications during proceedings.

2. Determining the Need for an Interpreter in the Courtroom

The Scottsdale City Court may determine whether an LEP court customer needs an interpreter for a court hearing in various ways.

The need for a court interpreter may be identified prior to a court proceeding by the LEP person or on the LEP person's behalf, by public service and courtroom staff and by law enforcement as noted on the citation.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding, even after the court has made all reasonable efforts to locate one, as previously outlined in this plan, the criminal case will be postponed and continued on a date when an interpreter can be provided. However, a civil case may proceed with the assistance of a language line.

3. Court Interpreter Registry and Listserv

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>.

Additionally, AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. Primarily the listserv is an excellent resource to locate referrals for specific language needs. If your court needs access codes or instructions to join the listserv, please contact Carol Mitchell at 602.452.3965.

B. Language Services Outside the Courtroom

The Scottsdale City Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. This is perhaps the most challenging situation facing court staff, because in most situations they are charged with assisting LEP individuals without an interpreter present. LEP individuals may come in contact with court personnel via the phone or the public counter.

To facilitate communication between LEP individuals and court staff, the Scottsdale City Court uses the following resources to the degree that resources are available:

- Staff court interpreter or independent interpreter contractors;
- Bilingual employees;
- “I Speak” cards, to identify the individual’s primary language;
- Written information in Spanish on how to access and navigate the court;
- Multilingual signage throughout courthouse locations in the following languages:
Spanish
- Telephonic interpreter services and,
- A court public phone line with key instructions provided in Spanish to request court services.

To provide linguistically accessible services for LEP individuals, the Scottsdale City Court provides the following:

- Web-site in Spanish
- Written informational documents and instructions in Spanish

C. Translated Forms and Documents

The Arizona courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts’ services. The Scottsdale City Court currently uses forms and instructional materials translated into Spanish.

- The court has translated the following documents into Spanish: Public Defender Application; Pre-trial notice; Defendant information for civil traffic hearing; defensive driving school instructions; instructions for orders of protection and injunction against harassment; incarceration instructions, TB test instructions, and MVD driver record instructions.
- These documents will be located Scottsdale City Court, 3700 North 75th Street, Scottsdale, Az. 85251 and in some cases available on the court’s web-site at www.scottsdaleaz.gov/courts .

- Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Scottsdale City Court is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Court interpreters to serve as permanent employees of the court;
- Bilingual staff to serve at public counters;
- Bilingual staff to serve in the courtrooms; and
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

V. Judicial and Staff Training

The Scottsdale City Court is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Diversity Training sponsored by the City of Scottsdale;
- LAP training;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language services.

VII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Scottsdale City Court's LAP is subject to approval by the presiding judge and court administrator. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court administrator for approval, and then forwarded to the AOC. Copies of Scottsdale City Court's LAP will be provided to the public on request and is posted on the court's Web site.

B. Annual Evaluation of the LAP

The Scottsdale City Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than once a year.

Each year the court's Deputy Court Administrator will review the effectiveness of the court's LAP and update as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

- Number of LEP services requested;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback.

C. Trial Court Language Access Plan Coordinator:

Julie Dybas
Deputy Court Administrator
Scottsdale City Court
3700 North 75th Street
Scottsdale, Az. 85251
480-312-2444

D. AOC Language Access Contact:

Carol Mitchell, Court Access Specialist
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E. LAP Effective date: November 1, 2011

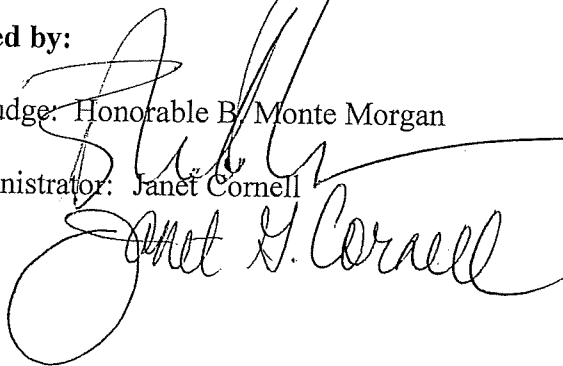
F. Approved by:

Presiding Judge: Honorable B. Monte Morgan

Date: November 16, 2011

Court Administrator: Janet Cornell

Date: November 16, 2011

The block contains two handwritten signatures. The first signature, for B. Monte Morgan, is written over the text 'Presiding Judge: Honorable B. Monte Morgan'. The second signature, for Janet G. Cornell, is written over the text 'Court Administrator: Janet Cornell'. Both signatures are in cursive and are clearly legible.